

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
58th LEGISLATURE - REGULAR SESSION**

**JOINT APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES AND
COMMERCE**

Call to Order: By **CHAIRMAN JEFF PATTISON**, on January 27, 2003 at
8 A.M., in Room 317-C Capitol.

ROLL CALL

Members Present:

Rep. Jeff Pattison, Chairman (R)
Sen. Bill Tash, Vice Chairman (R)
Sen. Edward Butcher (R)
Rep. John Musgrove (D)
Sen. Linda Nelson (D)
Rep. Rick Ripley (R)
Sen. Debbie Shea (D)

Members Excused: None.

Members Absent: None.

Staff Present: Kelly Gorin, OBPP
Gary Hamel, Legislative Branch
Elaine Olsen, Committee Secretary
Doug Schmitz, OBPP

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed. Time
stamp refers to the material which follows.

Committee Business Summary:

Hearing & Date Posted: Department of Fish Wildlife and
Parks, 1/27/2003

Executive Action: None

{Tape: 1; Side: A; Approx. Time Counter: 1 - 6}

CHAIRMAN PATTISON announced that the tour of the Spring Meadow Animal Rehabilitation Center would take place tomorrow.

Jim Kropp, Administrator, Enforcement Division, Fish Wildlife and Parks (FWP), continued his overview of the Division decision packages (DPs).

DP407

Jim Kropp said that DP407 is a request for funding for the County Water Safety Program which is administered by the State through the Recreational Boating Act. County funds are matched with funds from the United States Coast Guard (USCG). FWP administers the contracts with the counties. County deputies or water safety officers patrol local waters which eases the burden on FWP staff. Additional counties are interested in participating in the program.

SEN. TASH asked about the county matching funds. **Jim Kropp** said counties contribute hours and funds as they are able. **SEN. BUTCHER** asked if the county water safety officers were seasonal. **Jim Kropp** said it varies with the counties. **SEN. BUTCHER** asked if the county water safety officers had arrest authority. **Jim Kropp** said most of the officers are reserve deputies. They do have arrest authority if they have the proper training.

{Tape: 1; Side: A; Approx. Time Counter: 6 - 12}

DP408

Jim Kropp said that DP408 is the authority to fund warden overtime. Game wardens are nonexempt employees and are part of a collective bargaining unit. Compensation for any time worked over 80 hours in a two-week pay period is paid at time-and-a-half. The employee may elect overtime or comp time. Payment of overtime reduces the comp time liability and maximizes the use of FTE for unexpected call-outs or responses to violations in progress. **Jim Kropp** said wardens are asked to reduce the comp time to zero by the end of August because wardens work more hours during hunting season.

{Tape: 1; Side: A; Approx. Time Counter: 12 - 18}

REP. RIPLEY asked if there is a need for an increase in the amount of the overtime appropriation. **Jim Kropp** said that \$197,000 was expended in the last year, and the need has remained stable. The wardens' bargaining unit had proposed doubling the

amount of funding for overtime. The Department acknowledges that an increase will be needed as the wardens assume more responsibilities. At present it is more efficient to use the officers that have been trained than to add additional FTE.

SEN. TASH commented that as with all peace officers, it is difficult for the wardens to deal with unanticipated requests. He cited the example of the gathering of the Rainbow group which amounted to 20,000 people camped on four and a half square miles of forest in the Beaverhead Forest. Forest fires also require extra hours of work from game wardens.

SEN. BUTCHER asked if it would be more cost-effective to use the National Guard rather than high-priced game wardens in the instances **SEN. TASH** had cited. **Gary Hamel** replied that he had not done such a cost comparison. **SEN. TASH** commented that coordination of the effort is what is important. The National Guard was on alert for the Rainbow gathering.

{Tape: 1; Side: A; Approx. Time Counter: 18 - 24}

CHAIRMAN PATTISON asked if demands on United State Fish and Wildlife Service (USFWS) personnel were increasing because of concerns with homeland security. **Jim Kropp** said the USFWS has three special agents in Montana who are occasionally assigned special duties. In cases such as the forest fires, the first 80 hours worked are part of the wardens' normal work week. Not all time spent on such special assignments is overtime. Limited overtime was paid during those events.

DP410

Jim Kropp said that DP410 was a request for an adjustment to the internal service rates for vehicles. Game wardens work out of their vehicles a great deal and dependable vehicles, especially for emergency response, are critical to the wardens.

DP414

Jim Kropp said that DP414 is a request for the restoration of \$35,000 of authority for federal matching funds from the USCG for the boating program. The funds are derived from the boating decals and the license accounts. Not all funds were expended in the second year of the biennium because of a low water year which curtailed some boating activities. In addition, because of problems related to the recruitment and retention of personnel, not all water safety officer positions were filled.

{Tape: 1; Side: A; Approx. Time Counter: 24 - 30}

SEN. BUTCHER asked for the total expenditures for the water safety program. **Jim Kropp** said funding totals about \$300,000 with a one-to-one match of State Special Revenue to federal funding.

DP415

Jim Kropp said this request would restore all of the funding for off-highway vehicles (OHV) enforcement. Some funds were not expended in the first year of the biennium.

{Tape: 1; Side: B; Approx. Time Counter: 1 - 6}

In response to a question from **SEN. BUTCHER**, **Jim Kropp** stated that the total budget for the OHV program is \$37,000 a year. **CHAIRMAN PATTISON** asked for the fund balance in the OHV fines account. **Jim Kropp** said that amount was included in the \$37,000 balance. **SEN. BUTCHER** asked how the funds were allocated from the fines account. **Jim Kropp** said the fines are allocated to warden districts according to the amount of hours spent on OHV-related activities.

DP401

Jim Kropp said that in the last session, the proposal was approved as a "cat and dog" bill. The request is to make the funding for an FTE a permanent, long-term program. In cooperation with the Montana universities, the Department recruits applicants during their junior year at the school. That person will work with another officer full-time through the summer. During their senior year at a Montana university, the individual will work part-time. Once they graduate, the person is eligible to be hired as a probationary game warden.

SEN. BUTCHER asked where the individual obtained law enforcement training. **Jim Kropp** said that all wardens attend the Montana Law Enforcement Academy.

{Tape: 1; Side: B; Approx. Time Counter: 6 - 13}

DP402

Jim Kropp said the DP is a request for \$60,000 per year in funding for a Recreational Program Manager. The position would work with boating laws, OHV, snowmobile programs, parks programs, and fishing access sites (FAS). The individual will work with counties on water safety and on water recreation conflicts. Montana has very limited enforcement of offenses by individuals who operate boats, snowmobiles or OHV while under the influence of alcohol. Closer coordination of efforts with the USFS and

other entities could enhance snowmobile, OHV, and boating safety and education programs.

SEN. BUTCHER asked if the funding request was in addition to the funding request for the water safety DP. **Jim Kropp** said a portion of the funding for this DP would be derived from federal funding. The \$60,000 funding request is not exclusively for water-related programs; 25 percent of the funds are to be spent on water-safety with the balance to be spent on such projects as OHV and snowmobiles.

{Tape: 1; Side: B; Approx. Time Counter: 13 - 20}

SEN. BUTCHER continued to ask about the total budget for water safety, and he commented that it appeared that the total amount for that program would be increased by \$60,000 if DP402 was approved. **Jim Kropp** restated that not all of the \$60,000 in funding contained in DP402 would be dedicated to water programs. The funding was derived from several funds and would need to be spent in those program areas also. The amount of this request has been taken into consideration in the total amount of funding that was discussed in boating program, DP414.

Jeff Hagener, Director, FWP, said to **SEN. BUTCHER** that 25 percent of the funding is from the USCG and will be matched with earmarked money from the snowmobile and OHV programs. Only a portion of the program would be seen as an addition to the boating safety program.

SEN. BUTCHER continued to ask about total expenditures, inquiring about the total funding for warden training. **Jim Kropp** replied that the total of all funds specific to warden training was not readily available, and that he would obtain the amount. **CHAIRMAN PATTISON** commented that the Department could obtain the figures for **SEN. BUTCHER** after the meeting. **SEN. BUTCHER** continued, stating that he wanted the total amount of funding dedicated to the boating safety and the warden trainee programs. He said he did not care about the source of the funding.

{Tape: 1; Side: B; Approx. Time Counter: 20 - 30}

DP405

Jim Kropp said the field training officers (FTO) are sent to school to learn how to train the less-senior field wardens in such areas as pistol shooting, use of force and enforcement policies. The time spent is in addition to the time they spend on their regular responsibilities. The DP is a proposal which came from the game warden union to provide additional

compensation for additional hours worked while training. The request is for \$100 for each additional 40 hours spent by more experienced wardens assisting with the training of less-experienced field wardens.

SEN. BUTCHER again asked for the total amount spent on the program. **CHAIRMAN PATTISON** said the Department would provide all of those figures after the meeting.

DP409

Jim Kropp said that DP409 was a request for funding for commercial licensing of game farms, shooting preserves and game bird farms. Since I-143 was put in place, activities related to game farms have decreased dramatically, and the request is for a lesser amount to fund similar responsibilities in other areas.

{Tape: 2; Side: A; Approx. Time Counter: 1 - 9}

CHAIRMAN PATTISON asked if bison are considered alternative livestock. **Jim Kropp** replied that an individual does not need a game farm permit to raise bison. Alternative livestock are species listed as game animals in Montana. Bison are listed as species in need of management, primarily because of concerns over brucellosis. **SEN. TASH** commented that bison are considered livestock. **Jim Kropp** added that bison are covered under livestock laws.

DP413

Jim Kropp said that DP413 addressed legislative contract authority (LCA). The Turn in Poachers Montana (TIPMont) hotline is coordinated with the USFS, and they contribute \$9,000 through the LCA. The USFWS special agents work with FWP on interstate concerns associated with poaching, and LCA is utilized for some related expenses.

SEN. BUTCHER asked for the total budget for the operation. **Jim Kropp** said the total for the TIPMont was the \$9,000 from the USFS as stated earlier. About \$3,000 to \$4,000 is being spent on each out-of-state investigation. **SEN. BUTCHER** repeated that what he wanted was the total amount being expended in these areas from the contract authority. **Gary Hamel** reminded **SEN. BUTCHER** that LCA is zeroed out each year. The request is for the total amount of LCA. **SEN. BUTCHER** said that obviously, some sort of apparatus is online that assigns duties to perform these functions. The amount stated wouldn't even pay one bureaucrat. The amounts stated would pay phone bills and some travel. He reiterated that he is interested in how much money is being spent in this area to handle all of this contract authority. **Gary Hamel** said the

request is for a total of \$18,000 each fiscal year to contribute to TIPMont and other enforcement activities. The federal funds come in throughout the year in the form of grants, and the Department utilizes the funding in a number of different ways.

SEN. BUTCHER said he was interested in the whole package. He stated that this is obviously an involved process, and he was wondering what this total expenditure package amounted to. **Kelly Gorin, OBPP**, said that TIPMont and the work with the USFWS are one part of a warden's duties. When a warden is involved in those programs, they charge their time against that particular funding. The LCA does not represent the total of the programs.

SEN. BUTCHER reiterated that he wanted to know about "that apparatus within the bowels of the bureaucracy that runs this thing." **Chris Smith, FWP**, said the Department does have a TIPMont coordinator for the program. In FY02 the overall budget for the TIPMont program was \$42,734. Part of that total would come from the LCA authority that is being requested.

{Tape: 2; Side: A; Approx. Time Counter: 9 - 18}

DP416

Jim Kropp said that the DP is actually a present law adjustment rather than a new proposal. The request is for restoration of \$5,217 of funding to the base of \$23,254. Some funds were not expended because of the low snow year. **Gary Hamel** stated that the base of \$23,254 would be increased by \$5,217 in spending authority for each year of the biennium.

Director Hagener said the funding is based on revenue projections from vehicle registrations. The additional projected revenues are added to the base expenditures of \$23,254. **Director Hagener** stated that the Department would prepare a list of appropriated funding, amount expended, and the restorations that are being requested.

{Tape: 2; Side: A; Approx. Time Counter: 18 - 24}

Don Childress, Administrator, Wildlife Divison, FWP, said the Division is responsible for the regulation and preservation of Montana's wildlife populations. The Division provides habitat management and regulated harvest of game species. The Division has 98.4 FTE across the state and of those FTE, 80 are permanent employees. Forty biologists work in the Division.

EXHIBIT (jnh17a01)

Don Childress said the Division program areas include the monitoring of wildlife populations and habitats, formulating trapping and hunting regulations, habitat enhancement activities, assisting landowners with game damage, and developing management plans.

Don Childress said the species management involves surveys and inventories. Surveys include aerial and on-the-ground surveys. The regulation-setting process involves gathering information, engaging in public discussion, and working with the Commission to set quotas and season dates. This is ongoing throughout the year and is a very intensive public process.

EXHIBIT(jnh17a02)

Don Childress said that the big game hunting regulations are the primary information source for hunters in Montana. Regulations are distributed through license agents across the state.

{Tape: 2; Side: A; Approx. Time Counter: 24 - 30}

Don Childress said that the Department must respond in 48 hours to reports of game damage, so that the responsibility is spread throughout the agency. Trapping and transplanting of game species is a minor part of the game management program. Big horn sheep are transplanted to augment populations.

Don Childress said that thorough objectives are established for species management. Species management plans are continually updated. The scoping process helps the Division identify issues. Over 450 comments were received on the elk plan. The various aspects of the Montana Environmental Protection Act (MEPA) are utilized when possible. Some projects necessitate an environmental assessment review while others require a full environment impact statement.

CHAIRMAN PATTISON asked if the Department was going to be using thermal imaging in their game surveys. **Don Childress** said the Division was aware of the process. **Glenn Erickson, FWP**, said the Division had been contacted by the firm **CHAIRMAN PATTISON** had mentioned. The widespread applicability of such a program in Montana has not been established.

{Tape: 2; Side: B; Approx. Time Counter: 1 - 9}

SEN. BUTCHER said no one is dealing with the predators that are decimating bird populations. He said he assumed the Department is quiet on the issue because of political pressure to protect

all the "cute and fuzzy" predators. Habitat is not the problem; predator depredation is the cause of the low populations. **Don Childress** replied that the Department works with the Department of Livestock (DOL) to identify areas where predation has been a part of the population decline. DOL will then focus their efforts in those areas. The Division is continuing to apply more scientific rigor in population surveys.

REP. RIPLEY asked what programs the FWP has in conjunction with DOL. **Don Childress** replied that currently there is a budget for \$110,000 specifically for predator control with DOL. **SEN.**

BUTCHER asked if the landowners' estimates are considered when the predator surveys are done. He asked if a bounty system had been considered. **Don Childress** said the DOL predator control officials do provide a count of animals taken by kill. **SEN.**

BUTCHER persisted by stating that there is no verification on the number of animals killed. He suggested it would be more cost-effective for a bounty system to be put in place.

{Tape: 2; Side: B; Approx. Time Counter: 9 - 13}

Don Childress said Habitat Montana is the primary funding source for the habitat conservation and enhancement programs. Funds are designated from the sale of licenses. The Department has acquired a total of 266,072 acres with 13 percent under fee title, 12 percent in lease agreements and 75 percent in conservation easements.

Don Childress said the Migratory Bird Stamp Program is an earmarked revenue source for wetland enhancement and preservation. The program is operated in partnership with other agencies and private organizations under the Wetland Legacy Program. An example of the coordination of programs is the work being done on wetland mitigation with the Department of Transportation (DOT).

{Tape: 2; Side: B; Approx. Time Counter: 13 - 20}

Don Childress stated that the Upland Game Bird Program habitat project has two components. Recent legislative and rules changes have assisted the Department in implementing the program. The program is funded by portions of the resident and nonresident bird licenses. Originally the program focused on the release of birds and was amended in 1989 to include habitat enhancement. Recent legislation has set forth how much money is to be expended in certain areas.

EXHIBIT (jnh17a03)

{Tape: 2; Side: B; Approx. Time Counter: 20 - 31}

Don Childress said the Department implemented an information program on the pheasant release program which resulted in over 300 inquiries from potential participant landowners. Over 60 cooperators were enrolled in the program as a result of the advertising.

Don Childress said that one audit recommendation was to publicize project areas and locations for upland bird hunting opportunities. A performance audit provided a recommendation to monitor all the upland game bird projects. A rotational review system is in place, and all 700 projects are audited on a biannual basis. A system of measuring and evaluating the success of habitat projects is in place. Participants in the program must allow public access to their property.

Don Childress said the audit recommendations that have been implemented include strengthening the fiscal controls within the program; provide additional guidance to staff; require supporting documentation prior to the payment of claims; document the supervisory review of projects; and provide tracking mechanisms for all contracts and files. The Division is working with the regions to develop specific and formal program goals.

Don Childress said that Director Hagener has appointed an advisory council to review the program, including the habitat enhancement program. The advisory council is to provide firm direction concerning where the program should go and what the goals and objectives should be.

SEN. BUTCHER asked why the release of sharp tail grouse and huns is not a bigger part of the program. **Don Childress** said that huns can be raised and released, but grouse cannot be easily transplanted. **SEN. BUTCHER** said that to have a more balanced program, sage grouse should be included in the effort. **Don Childress** said that state-wide the concern over the grouse populations is not as great as for the other birds.

CHAIRMAN PATTISON asked about the funding for upland game bird habitat and about the progress toward meeting the audit recommendations. **Don Childress** said the performance review of the audit recommendations stated that all the recommendations were either in place or in progress.

{Tape: 3; Side: A; Approx. Time Counter: 1 - 8}

CHAIRMAN PATTISON inquired about the ending fund balance of the upland game bird habitat set aside. **Don Childress** said that \$75,705 has been spent.

SEN. NELSON inquired about the cooperators in the program. **Don Childress** said 68 landowners are involved in the program. Most of the cooperators are in eastern Montana although five landowners in Region Three are involved in the program. **SEN. BUTCHER** asked why the Department did not spend the \$130,000 designated for bird releases. **Don Childress** said the \$130,000 is expended on a fiscal year basis, and no birds will be planted this fiscal year until winter is over.

SEN. BUTCHER asked for details. **Don Childress** said the Department is required to spend 25 percent of the 15 percent.

SEN. BUTCHER asked, "Why are we allocating this money if you don't spend it?" **Don Childress** replied that the unspent money is set aside by statute; it cannot be expended. Fifteen percent of the total amount of the funding from the license sales is set aside for pheasant releases. Of the 25 percent, the Department is required to spend 15 percent.

SEN. BUTCHER oppegged that the funding had to be spent on pheasant releases, yet the Department was not spending the money as intended. **SEN. NELSON** replied to **SEN. BUTCHER** because she had sponsored the legislation. She stated that the set-aside was established because it was thought that participation in the program would increase over time. At the program's inception there were not enough qualified landowners who were interested in participating in the program. The legislation did not intend to establish a "dumping" program.

{Tape: 3; Side: A; Approx. Time Counter: 8 - 13}

SEN. BUTCHER continued by asking the Department if there had been participants apply who did not get accepted into the program.

Don Childress said that some of the applicants did not meet the criteria. Changes on how the program is implemented are accomplished through ARM rules. **SEN. BUTCHER** asked if the Department is going to allow for the release of huns and grouse or are "they going to run the guy in circles?" **Don Childress** said that most of the 300 people who had expressed interest in the program withdrew their application when they were told they had to allow the public to hunt on the property.

{Tape: 3; Side: A; Approx. Time Counter: 13 - 21}

Don Childress said that the Sikes Act Program is a cooperative habitat program with federal agencies for the enhancement of public lands for species that are fished, hunted or trapped. The primary cooperating agencies are USFS and Bureau of Land Management (BLM).

EXHIBIT(jnh17a04)

Don Childress said that two ongoing research programs involve mountain lion and black bear. Field work has been completed on a whitetail deer project, and the data is being analyzed. The study will be completed before the end of the year.

Don Childress said that the wolf-ungulate study has been ongoing, and an updated report is available. **SEN. TASH** asked about the DOL's involvement. **Don Childress** said that the funding for this study is provided by FWP. The University System is funding some studies. Some marking of wolves is done by the USFWS.

EXHIBIT(jnh17a05)

EXHIBIT(jnh17a06)

Don Childress said that there is one FTE in the research and technical services unit which focuses on the wildlife laboratory and harvest surveys. The lab is involved with the wildlife disease concerns in the state. A monitoring program for detection of chronic wasting disease (CWD) has been implemented, especially in the northeastern part of the state. CWD has been found in three surrounding states. The West Nile Virus was a concern especially in horses.

{Tape: 3; Side: A; Approx. Time Counter: 21 - 31}

Don Childress commented that the Department has an active monitoring program for brucellosis. Sampling is done on a regular basis especially in the Yellowstone Park area. Harvest surveys done by phone provide information on the number of hunters, number of hunters' days and the success of the harvest.

SEN. TASH asked if check stations are used for hunter surveys.

Don Childress replied that check stations provide the best information available because the contact with the hunter is in person. In addition, the personnel is able to view the animal and check the overall condition of the carcass. Check stations are labor-intensive and expensive, however check stations allow for the gathering of information related to several different studies.

SEN. BUTCHER asked if it would be cost-effective to tie the check station into the weigh stations. **Don Childress** said that safety concerns limit the use of weigh stations.

Don Childress said funding for the Division programs comes from the General License account, special earmarked funds, federal funds, and LCA. Personal services and operations are the two largest expenditures with grants and equipment making up less than three percent of the Division budget. **SEN. TASH** asked about the earmarked funds. **SEN. BUTCHER** asked about the waterfowl stamp art competition. **Don Childress** said that a bill is being proposed this session that will eliminate the requirement for the art competition.

{Tape: 3; Side: B; Approx. Time Counter: 1 - 12}

Don Childress said participation had decreased from 30 paintings being submitted during the first years of the project to three participants last year.

DP501

Don Childress said that DP501 is the internal service rate adjustment for maintenance of the Division's vehicles and aircraft.

DP503

Don Childress said the DP503 is a request for additional funds for survey and inventory costs. The Division expends about \$382,000 for aircraft, both fixed wing and helicopter. Helicopters rent for \$500 an hour. Contracts allow for a five percent increase annually. The recent audits stated that the Department needs to increase the scientific reliability of the surveys.

Don Childress gave an example of what was learned when an extensive survey was completed. In the Bitter Creek area sportsmen were complaining about the excessive harvest of deer and low populations, yet FWP surveys showed adequate populations numbers. When the animals were collared and aged, many of the deer were old, indicating the harvest wasn't taking many of the animals. Radio tracking revealed that the Bitter Creek area was primarily winter range for the animals, and a large segment of deer was coming from Canada. If the winter was mild, half the population was still in Canada during the hunting season. During a hard winter, more of the deer moved into the area.

SEN. BUTCHER asked if the Department has considered setting different hunting season dates for different areas. **Don**

Childress said that is one of the things the Division is trying to design based on the surveys. Many details go into the season-setting decisions.

{Tape: 3; Side: B; Approx. Time Counter: 12 - 19}

DP504

Don Childress said that DP504 is a request for funding for .25 FTE for a grizzly bear conflict specialist in Region Three, Bozeman. In the past, the Division has attempted to use federal or private funding. The species cannot be hunted so the spending of license dollars on the project did not seem appropriate. The public expects the agency to deal with the species. The number of grizzly bears is increasing, and the number of conflicts has increased.

Don Childress said fatalities from bear conflicts are very unfortunate. Archery hunting in grizzly bear habitat is very dangerous with hunters dressed in camouflage and wearing some animal scent. This position could be proactive to work to prevent conflicts.

SEN. TASH asked if safety experts from other areas could help in this area. **Don Childress** replied that a significant program is being put together to deal with the issues. The intent is to educate people who go into areas but are unaware that it is grizzly bear habitat.

{Tape: 3; Side: B; Approx. Time Counter: 19 - 24}

REP. RIPLEY asked how the Department draws the line on how much money is spent on any one incident. He gave the example of the sow with two cubs near Dupuyer that was shot in the head. **Don Childress** said public expectations and emotions sometimes influence Department activities. The Department has to put forth a great effort to educate people what not to do in some situations.

SEN. BUTCHER asked why the Department doesn't come out and say publicly that the cause of an incident is total stupidity. **SEN. BUTCHER** said, "The problem is that we pander to all these people, and it creates the images that the animals are cute little fuzzies. If the Department would be a little more direct, these incidents wouldn't occur." **CHAIRMAN PATTISON** said that human lives are involved in some cases, and the Department is cognizant of that.

DP508

Don Childress said that DP508 is a request to restore one-time-only (OTO) funding for mountain lion research. New survey techniques are being applied in population studies. Seasons have been closed in some areas in an effort to enhance the accuracy of the studies.

REP. RIPLEY asked for clarification on how the funds would be expended. **Don Childress** said the request is for .5 FTE and for the personal services for that FTE and for other permanent employees that are tied to the project.

{Tape: 3; Side: B; Approx. Time Counter: 24 - 30}

DP509

Don Childress said DP509 is a request for increased spending authority for the proceeds of the moose license auction. The funds from the moose license auction are to be used exclusively for moose population and habitat programs.

DP511

Don Childress said that DP511 is a request for increased spending authority of funds derived from the income tax check-off for nongame wildlife. Funds have been accruing because of a staffing shortage which resulted in a lack of activity in the program.

{Tape: 4; Side: A; Approx. Time Counter: 1 - 10}

DP512

Don Childress said that DP512 is a request for a wildlife conflict specialist in Region One, Kalispell. As the urban population encroaches on traditional wildlife habitat, conflicts occur. **CHAIRMAN PATTISON** asked if the black bear hunting licenses were increased in an effort to address the conflicts. **Don Childress** said that hunting quotas are adjusted to reflect the problems with black bears. **SEN. TASH** asked how many bears were relocated, and how many were euthanized. **Don Childress** said the majority of the bears were relocated. **SEN. BUTCHER** asked if electric drift fences were utilized to deter the bear. **Don Childress** said electric fencing had been tried.

DP513

Don Childress said that the request was for funding to reinstate a modified FTE in Region Four. The request is for a biologist position.

CHAIRMAN PATTISON said the Committee would continue the overview of Wildlife Division DPs on Wednesday. The Access Montana group will speak to the Committee on Wednesday. The Committee will tour the FWP Custer Avenue facility and the Spring Meadow Animal Rehabilitation Center tomorrow.

ADJOURNMENT

Adjournment: 12 P.M.

REP. JEFF PATTISON, Chairman

ELAINE G. OLSEN, Secretary

JP/EGO

EXHIBIT (jnh17aad)